

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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VANESSA ADAMS, legal name Nicholas Adams

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS; FEDERAL  
BUREAU OF PRISONS DIRECTOR HARLEY G.  
LAPPIN, in his official capacity; REAR ADMIRAL  
NEWTON E. KENDIG, MD, in his official capacity,  
Defendants

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CIVIL ACTION  
NO. 09-10272-JLT

EMERGENCY<sup>1</sup> UNOPPOSED MOTION FOR A COURT ORDER DIRECTING BOP TO  
ALLOW PLAINTIFF'S EXPERT TIMELY CONTACT ACCESS TO PLAINTIFF

Plaintiff Vanessa Adams, by and through undersigned counsel, moves this Honorable Court for an Order directing Defendant Bureau of Prisons (BOP) to allow Plaintiff's expert, Dr. Randi Ettner,<sup>2</sup> timely contact access to Plaintiff for a 4 hour visit at Plaintiff's institution, and states the following in support:

1) Plaintiff Adams is a person in BOP custody who has been diagnosed by multiple BOP physicians as having Gender Identity Disorder (GID), which is a serious medical condition that requires medical care. She is currently housed at the Medical Center for Federal Prisoners Springfield.

2) Plaintiff filed this action seeking appropriate medical treatment for her GID on February 24, 2009.

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<sup>1</sup> Plaintiff has made repeated efforts to avoid having to ask this Court for emergency relief in this matter, including negotiating with opposing counsel and attempting to arrange the visit with Plaintiff's institution.

<sup>2</sup> Plaintiff's counsel Cassandra Capobianco will accompany Dr. Ettner.

3) Since filing this lawsuit, Plaintiff has severed her own penis and it appears to Plaintiffs' counsel that her mental health has apparently rapidly deteriorated.

4) Plaintiff seeks to have a psychologist, Dr. Randi Ettner, conduct a visit with her on August 20, 2009 so that Dr. Ettner can evaluate her condition and determine proper treatment and any need for immediacy of treatment for the purpose of potentially obtaining preliminary relief.<sup>3</sup>

5) Dr. Ettner requires a 4-hour contact visit with Ms. Adams.

6) Dr. Ettner requires a contact visit so that she can conduct a full clinical interview, which includes forming a rapport with the client and making clinical observations that will be impeded by a non-contact visit.

7) Dr. Ettner has set aside August 20, 2009 as the date on which she is able to make the visit with Plaintiff's counsel.

8) Plaintiff's counsel has repeatedly conferred with both the institution and with counsel for BOP in an effort to schedule the visit without this Court's intervention.

9) At the institution's request, Plaintiff's counsel agreed to schedule the visit for August 20, 2009, a Thursday, in order to accommodate the institution's practice of closing visiting areas on Tuesdays and Wednesdays.

10) The institution indicated to Plaintiff's counsel that it could and would accommodate Dr. Ettner's 4-hour contact visit on August 20, 2009 if the Court would issue an Order directing it to do so.

11) Counsel for Defendant BOP does not oppose this Motion.

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<sup>3</sup> As this case is in very early stages and new information may come to light that will necessitate a repeat visit by Dr. Ettner, Plaintiff may again request that this Court order that Dr. Ettner be granted access to Plaintiff.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court issue an Order directing Defendant BOP to allow Plaintiff's expert Dr. Randi Ettner a 4-hour contact visit with Plaintiff.

Respectfully submitted,

/s/ Cassandra Capobianco

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**CERTIFICATE OF SERVICE**

In accordance with Local Rule 5.2(b), I, Cassandra Capobianco, hereby certify that this document filed through the ECF system on August 14, 2009 will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Cassandra Capobianco

Cassandra Capobianco, Esq.